IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

MONDAY, THE 2ND JULY 2007 / 11TH ASHADHA 1929

WP(C).No. 19413 of 2007(J)

PETITIONER:

LUKMAN E.K., S/O. EASA,
NEDUMPOTHIL HOUSE, KANNAMANGALAM P.O.,
MALAPPURAM DISTRICT.

BY ADV. SRI.SUNNY MATHEW

RESPONDENTS:

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1. THE TAHSILDAR, ERNAD, MANJERI.

2. THE DISTRICT COLLECTOR, MALAPPURAM.

3. THE SUB INSPECTOR OF POLICE,
AREACODE POLICE STATION.

4. STATE OF KERALA,
REPRESENTED BY THE CHIEF SECRETARY TO GOVERNMENT,
SECRETARIAT, TRIVANDRUM.

BY GOVERNMENT PLEADER SRI. I.V. PRAMOD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 02/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S. SIRI JAGAN, J.

W.P.(C)NO.19413 OF 2001

DATED THIS THE 2nd DAY OF JULY, 2007

JUDGMENT

The petitioner's vehicle bearing registration No.KL 10X 9115 has been seized by the 1st respondent on allegations of illegal transportation of river sand. The petitioner submits that the same was seized on 5.6.2007. The 2nd respondent has not yet passed final orders and therefore, the petitioner may be given interim custody of the vehicle pending passing of final orders by the 2nd respondent.

2. I have heard the learned Government pleader also. After hearing both sides, I direct the 2nd respondent to release the above vehicle on the petitioner depositing an amount of Rs.25,000/- and furnishing proof of ownership of the vehicle. This is subject to the further condition that the petitioner shall not alienate or otherwise part with possession of the vehicle till passing of final orders by the 2nd respondent.

The writ petition is disposed of as above.

S. SIRI JAGAN, JUDGE

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